

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA ex rel.	:	CIVIL ACTION
BRUCE BOISE, et al.	:	NO. 08-287
	:	
v.	:	
	:	
CEPHALON, INC., et al.	:	

ORDER

AND NOW, this 15th day of April, 2015, upon consideration of the motion to dismiss of defendant Cephalon, Inc. (Dkt. No. 105), relators' response thereto (Dkt. No. 108), Cephalon's reply (Dkt. No. 109) and consistent with the accompanying memorandum of law, it is ORDERED that the motion is GRANTED IN PART. Relators' claims under 31 U.S.C. § 3729(a)(1)(G) are DISMISSED with leave to amend. Relators' claims under Delaware, Georgia, New Jersey, Oklahoma and Rhode Island law to the extent that the claims relate to alleged conduct prior to the relevant effective dates of those states' FCA legislation are DISMISSED. Cephalon's motion is DENIED in all other respects. Relators may file an amended complaint consistent with this Order and accompanying memorandum on or before May 1, 2015.

s/Thomas N. O'Neill, Jr.
THOMAS N. O'NEILL, JR., J.